

1 THE HONORABLE ROSANNA MALOUF PETERSON
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20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF WASHINGTON
22 AT SPOKANE

23
24 CITY OF ROYAL OAK
25 RETIREMENT SYSTEM, et al.,
26 Individually and on Behalf of all
27 Others Similarly Situated,
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29 Plaintiffs,
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31 v.
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33 ITRON, INC., MALCOLM
34 UNSWORTH, and STEVEN M.
35 HELMBRECHT,
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37 Defendants.
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39 No. cv-11-077-RMP
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42 CLASS ACTION

43 MOTION TO DISMISS THE
44 CONSOLIDATED COMPLAINT
45 FOR VIOLATIONS OF FEDERAL
46 SECURITIES LAWS

47 NOTE FOR MOTION CALENDAR:
February 23, 2011
2:00 p.m.

48 ORAL ARGUMENT REQUESTED
49

50 Defendants respectfully move this Court pursuant to Federal Rule of
51 Civil Procedure ("Rule") 9(b) and Rule 12(b)(6) for and Order Granting
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58 MOTION TO DISMISS CONSOLIDATED
59 COMPLAINT – 1

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2 DATED: October 21, 2011
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MOTION TO DISMISS CONSOLIDATED
COMPLAINT – 3

LEGAL21905356.1

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CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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**MOTION TO DISMISS CONSOLIDATED
COMPLAINT – 4**

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